

NOTICE OF EMERGENCY RULE PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE NUMBER AND TITLE: DMR Regulation 95.04 UU, Closed Area No. 49-C, Kilkenny Cove, Hancock.

TEXT OF RULE: DMR Regulation 95.04 UU, Closed Area No. 49-C, Kilkenny Cove, Hancock.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, mussels, oysters or quahogs from the shores, flats and waters of Kilkenny Stream and that part of Kilkenny Cove lying northerly (upstream) of a line beginning at a red painted post located on the western shore of Kilkenny Cove. This post is located on the northwestern tip of an unnamed point that lies about 2,000 feet south-southeast of where Route 1 crosses Kilkenny Stream, Hancock. From this post the line runs due east across the cove to a red painted post located on the eastern shore.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: May 30, 1989

AGENCY CONTACT PERSON: Robert D. Lewis
Department of Marine Resources
State House Station #21
Augusta, ME 04333

BANGOR DAILY NEWS
June 2, 1989

STATEMENT OF FACT AND POLICY

As authorized by 12 M.R.S.A. Sections 6172 and 6192, the Commissioner of the Maine Department of Marine Resources enacts the emergency DMR Regulation 95.04 UU, Closed Area No. 49-C, Kilkenny Cove, Skillings River, Hancock, which closes all shores, flats and waters of Kilkenny Cove and stream that lie northerly of a line located about 2,000 feet south of where Route 1 crosses Kilkenny Stream.

As required by 12 M.R.S.A. Section 6172, Department personnel have sampled the shellfish and waters of the closed area and found that they are subject to intermittent microbiological pollution. Therefore clams, mussels, oysters and quahogs taken from the closed area pose a threat to the public health.



E. PENN ESTABROOK
Deputy Commissioner



Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area
For: Hancock

C49C - Kilkenny Cove, Hancock 5/30/89

